

Appl. No. : 09/283,120
Filed : March 31, 1999

AMENDMENTS TO THE CLAIMS

Please cancel Claims 1-53 without prejudice or disclaimer.

1-53. (Cancelled)

54. (Currently Amended) The online product auction system of Claim ~~53~~55, 56, or 57, further comprising a decrement amount, wherein the seller proxy module adjusts the current minimum bid downward by the decrement amount.

55. (New) An online product auction system comprising an auction center, said auction center includes a microprocessor operably connected to a storage media, said product auction system comprising:

- a current high bid value for a first product;

- a first bid data for said first product, said first bid data includes a first bid and a second bid, said first bid is greater than said current high bid value, and said second bid is greater than said first bid;

- a second bid data for said first product, said second bid data includes a third bid and a fourth bid, said third bid is greater than said current high bid value, and said fourth bid is greater than said third bid;

- a bid processing module which calculates and updates said current high bid for said first product;

- a start minimum bid;

- a low minimum bid;

- a current minimum bid; wherein the current minimum bid, at the start of an auction, is equal to the start minimum bid; and

- a seller proxy module configured to periodically determine whether a bid at least as great as the current minimum bid has been accepted, and if no such bid has been accepted, to adjust the current minimum bid downward to a value less than the start minimum bid but at least as great as the low minimum bid.

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56. (New) The auction system as defined in Claim 55, wherein said bid processing module further comprises:

- a first calculation mode which calculates said high bid for said first product when said product auction system is in a first state; and

- a second calculation mode which calculates said high bid for said first product when said product auction system is in a second state.

57. (New) An online product auction system comprising an auction center, said auction center includes a microprocessor operably connected to a storage media, said product auction system comprising:

- a current high bid for a first product, said current high bid is associated with a first bid data wherein said first bid data includes a first bid and a second bid, said first bid is greater than said current high bid, and said second bid is greater than said first bid;

- a second bid data for said first product, said second bid data includes a third bid and a fourth bid, said third bid is greater than said current high bid, and said fourth bid is greater than said third bid;

- a start minimum bid;

- a low minimum bid;

- a current minimum bid; wherein the current minimum bid, at the start of an auction, is equal to the start minimum bid; and

- a seller proxy module configured to periodically determine whether a bid at least as great as the current minimum bid has been accepted, and if no such bid has been accepted, to adjust the current minimum bid downward to a value less than the start minimum bid but at least as great as the low minimum bid.

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SUMMARY OF INTERVIEW

Attendees, Date, and Type of Interview

A telephonic interview was conducted on November 16, 2005 by Examiner Hani M. Kazimi, Arthur S. Rose, and Ted M. Cannon.

Exhibits and/or Demonstrations

None.

Identification of Claims Discussed

Claims 53 and 54 (On May 28, 2004, the Examiner objected to these claims but deemed them allowable if rewritten in independent form.)

Claims 54-57 (These are Claims 53 and 54, rewritten in independent form to overcome the Examiner's May 28, 2004 objection. These claims were filed in Applicants' July 28, 2004 amendment, but the amendment was not entered.)

Identification of Prior Art Discussed

None.

Proposed Amendments

None.

Principal Arguments and Other Matters

Applicants' attorneys discussed the history of Claims 53 and 54 and 54-57 with the Examiner. Applicants' attorneys pointed out that Claims 54-57 have exactly the same scope as Claims 53 and 54. They are Claims 53 and 54 rewritten in independent form. Nevertheless, while the Examiner had indicated the allowability of Claims 53 and 54 if rewritten in independent form, the Examiner did not enter the amendment.

Results of Interview

The Examiner indicated that he would allow Claims 54-57 if they are identical in scope to Claims 53 and 54, subject to an updated search. The Examiner opined that the filing of the appeal procedurally complicates the Examiner's ability to enter the July 28, 2004 amendment and allow Claims 54-57. Nevertheless, the Examiner said that he would attempt to determine an appropriate procedure to allow Claims 54-57 and avoid the appeal. Applicants' attorneys expressed the belief that the Examiner can accomplish the desired result simply by entering the July 28, 2004 amendment, and allowing Claims 54-57. Applicants have filed this Amendment in order to simplify the procedure for allowing Claims 54-57.